

**REMARKS**

Claims 1, 3-11, 13-21 and 23-30 are pending in this application. By this Amendment, claims 1, 10, 11, 20, 21 and 30 are amended. No new matter is added.

Applicants appreciate the courtesies shown to Applicants' representative by Examiner Arnold in the September 22 personal interview, and the subsequent telephone interviews regarding the current Office Action. Applicants further appreciate the courtesies shown to Applicants' representative by Examiner Jankus in the December 22 telephone interview. Applicants' separate record of the substance of the interviews is incorporated into the following remarks.

Claims 1 and 10 are amended to rephrase the claim language to clarify that the blurring section blurs an image of the second target, the second object, such that an image of the objective foundation, the first object, is brought into view. Claims 11, 20, 21 and 30 are amended to rephrase the claim language to clarify that the program comprises instructions for blurring an image of the target, the surface layer, and bringing an image of the foundation, the foundation, into view. It is respectfully submitted that the claims are not narrowed by such amendments because the intended meaning has not been changed. As discussed during the telephone interview with Examiner Jankus, the claim language is clarified to ensure that an "intended use" interpretation is not possible.

The Office Action rejects claims 21 and 23-30 under 35 U.S.C. §101 as directed to non-statutory subject matter. Independent claims 21 and 30 are amended to recite the computer program is stored on a computer-readable medium, rendering this rejection moot. Accordingly, withdrawal of the rejection is respectfully requested.

Claims 1, 3-11, 13-21 and 23-30 stand rejected under 35 U.S.C. §103(a) over U.S. Patent No. 6,480,192 to Sakamoto et al. (hereinafter, "Sakamoto"). This rejection is respectfully traversed.

Independent claim 1 recites inter alia that "the blurring section blurs an image of the objective target such that an image of the objective foundation is brought into view."

Independent claim 10 similarly recites inter alia that "the blurring section blurs the second object such that the first object is brought into view." Independent claims 11 and 21 recite inter alia "instructions for blurring an image of the target and bringing an image of the foundation into view." Independent claims 20 and 30 similarly recite inter alia "instructions for blurring the surface layer and bringing the foundation into view." It is respectfully submitted that Sakamoto fails to disclose, teach or suggest these claimed features.

As discussed at the personal interview, Sakamoto is concerned with image processing in which entire sections of the image are blurred according to the distance of the given section from a foreground section (e.g., the point of an observer or camera). Specifically, Sakamoto is directed to image processing techniques in which objects in a foreground section of the image are in focus and objects in background sections of the image are blurred, objects in more distant background sections being more blurred. See, for example, column 1, lines 13-20, 39-45 and 49-55 and column 2, lines 1-11 of Sakamoto.

As shown in Fig. 6 of Sakamoto, for example, the image to be displayed is divided into near-, mid- and far-distance object groups 152, 154 and 156 (col. 11, lns. 1-9). These "object groups" correspond to near-, mid- and far-distance image groups 152a, 154a and 156a. The image groups 152a, 154a and 156a are processed and blurred to produce blurred image groups 154a' and 156a", as shown in Fig. 15 of Sakamoto, for example (col. 16, lns. 6-16). Thus, according to Sakamoto, different sections of the displayed image are blurred to a desired degree based on the distance of that section from the observer or camera. In Fig. 15: images of objects in the near-section 152a are not blurred at all; images of objects in the mid-section 154a' are blurred; and images of objects in the far-section 156a" are more blurred. However, there is no

disclosure whatsoever in Sakamoto of bringing the background into view or that the background is brought into view.

On page 3, the Office Action summarily concludes that "by blurring the target, the background comes into focus." Applicants respectfully disagree. Not only does the Office Action fail to provide any factual or documentary evidence to support the assertion, but Sakamoto itself does not disclose that "the background comes into focus." Although Sakamoto blurs objects, Sakamoto does not bring the background into focus (view). The focus/view of the background in Sakamoto remains unchanged by the blurring of objects.

Thus, without any factual or documentary support or any basis in the applied reference, the Office Action asserts that "it would have been obvious . . . to have the blurring section blur an image of the objective target to bring an image of the objective foundation into view." This is entirely improper since the Office Action effectively assumes that the claimed feature not taught or suggested by the art of record would have been obvious to a person of ordinary skill.

During a telephone interview on October 22, the Examiner attempted to clarify the statement on page 4 of the Office Action that the feature of blurring the second object to bring the first object into view "is merely an inherent byproduct of the invention." However, Applicants still disagree with any such assertion.

As discussed above, for example, independent claims 1 and 10 positively recite the features that the an image of the objective foundation, a part of the predetermined object, is brought into view by the blurring section blurring an image of the object target. Thus, these claims do not merely recite the blurring section blurs an image of the object target, the another part of the predetermined object.

Moreover, blurring an image/object does not inherently bring another image/object into view. As discussed above, the Office Action fails to provide any factual or documentary

support for this assertion. Further, as discussed above, Sakamoto clearly demonstrates blurring an object without affecting the foundation.

It is respectfully submitted that the Office Action improperly attempts to disregard a claimed feature by summarily concluding that the claimed feature "is not patentable in that it is merely an inherent byproduct of the invention."

More fundamentally, the Office Action misinterprets the feature recited in claim 1 of a predetermined object that comprises an objective target and an objective foundation. In other words, the object foundation is a part of the predetermined object, not a different object than the predetermined object. On the contrary, the Office Action clearly relies on two separate and different objects as allegedly corresponding to the predetermined object recited in claim 1. In its interpretation of Sakamoto, the Office Action refers to one of a plurality of three-dimensional objects that are blurred as corresponding to the recited objective target and to a background as allegedly corresponding to the recited object foundation. However, the background relied upon by the Office Action is not a part of a same predetermined object as any of the blurred objects. The blurred objects in Sakamoto and the background in Sakamoto are separate and distinct objects, and thus do not comprise a predetermined object as recited in claim 1.

The Office Action's analogy to a house built over a concrete foundation is misplaced because the background in Sakamoto is not a part of any other object, but is a separate and distinct object. In the Office Action's analogy, the background in Sakamoto corresponds to the land on which the house is built, which extends beyond the perimeter of the house and is not a part of the house. The background BG (image 155) in Sakamoto clearly extends over the entire rendering area 202 of the screen, as shown in Fig. 9A and described in column 12, lines 44-47. Further, the background BG (image 155) in Sakamoto is clearly a separate and distinct object, not a part of any of the three-dimensional objects Obn.

Independent claim 10 similarly recites that the predetermined object comprises a first object that expresses a foundation and a second object that expresses a surface layer having at least one surface on the first object. Thus, the first and second objects recited in claim 10 are both part of a same predetermined object. As explained above, this is not true for the blurred objects and the background in Sakamoto relied upon by the Office Action.

Each of independent claims 11, 20, 21 and 30 recites similar language regarding the target and foundation or the foundation and the surface layer as being part of a same predetermined object. Thus, it is respectfully submitted that the interpretation of Sakamoto by the Office Action is flawed because it fails to identify a predetermined object comprising two parts thereof.

In view of the foregoing, it is respectfully submitted that Sakamoto cannot reasonably be considered to disclose, teach or suggest every feature recited in independent claims 1, 10, 11, 20, 21 and 30. Therefore, it is respectfully submitted that the independent claims are patentable over Sakamoto. Further, it is respectfully submitted that dependent claims 3-9, 13-19 and 23-29 are patentable at least in view of the patentability of claims 1, 11 and 21 from which they depend, as well as for the additional features they recite.

In particular, dependent claims 5, 15 and 25 recite blurring “according to a sight line angle of the virtual camera to the predetermined object.” The Office Action refers to column 10, lines 62-67 as allegedly disclosing this feature. However, this cited text only discloses that objects within the field of view from the perspective of the active camera are detected. The Office Action fails to connect this text to any associated blurring because it is completely unrelated to the blurring taught by Sakamoto. Sakamoto teaches blurring based on the depth amounts of the objects, i.e., the distance from an origin Z0. See column 11, lines 1-12, Fig. 6, and column 16, lines 17-22 (the near-distance object group not being blurred). Thus,

Sakamoto teaches blurring based on depth amounts, not based on a sight line angle as recited in claims 5, 15 and 25.

Further, the fixation point recited in claims 6, 16 and 26 is different than the viewpoint discussed in column 2, lines 29-30, of Sakamoto cited by the Office Action. Claims 6, 16 and 26 recite a fixation point that is a position on which a game player is to focus, not a position from which the game player views. Further, there is no disclosure in Sakamoto that the viewpoint is taken as the predetermined object. In fact, such an assertion is illogical since the viewpoint is not an object in the object space, but a point from which a viewer views a scene.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1, 3-11, 13-21 and 23-30 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



William P. Berridge  
Registration No. 30,024

Klifton L. Kime  
Registration No. 42,733

J. Adam Neff  
Reg. No. 41,218

WPB:KLK/kzb

Date: December 28, 2004

**OLIFF & BERRIDGE, PLC**  
**P.O. Box 19928**  
**Alexandria, Virginia 22320**  
**Telephone: (703) 836-6400**

<p>DEPOSIT ACCOUNT USE AUTHORIZATION Please grant any extension necessary for entry; Charge any fee due to our Deposit Account No. 15-0461</p>
--